IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THURSDAY THE TWELFTH DAY OF AUGUST

TWO THOUSAND AND FOUR

: PRESENT:

THE HON'BLE MR. JUSTICE**: T.CH. SURYA RAO**

CRIMINAL PETITION No. **3444 of 2004**

Between:

Vadlamudi Koteswara Rao @ Perugu Koteswara Rao S/o Ankaiah

.. Petitioner/(Accused. in Cr. No. 23/2004 of Tosdayapalem P.S., Repalle Mandal, Guntur District)

And

The Station House Officer, Tsodayapalem Police Station, Repalle Mandal, Guntur District rep Public Prosecutor, High Court of A.P., Hyderabad.. Respondent / Complainant

COUNSEL FOR PETITIONER : Mr. Posani Venkateswarlu

COUNSEL FOR RESPONDENT : The Public Prosecutor.

Petition under Section 438 of Cr. P.C. praying the High Court may be pleased to direct the Respondent Police to enlarge the Petitioner/Accused No.3 on bail in the event of his arrest in Connection with Crime No. 23/2004 of Tsodayapalem Police Station, Repalle Mandal, Guntur District.

The Court made the following :

ORDER :

"The Petitioner who is A3 in the crime seeks Anticipatory bail in connection with the Crime registered against him and others for the offence punishable under section 304-B of the Indian Penal Code.

It is represented by the learned counsel appearing for the Petitioner that the Petitioner who is not at all concerned with the family of the accused and the deceased and he belongs to a different caste and, therefore, he cannot be called as relative of the husband of the deceased. There are other accused in the crime who are the husband, in-laws and other relation of the husband of the deceased. In that view of the matter and as the allegation made against the Petitioner appears to be vague, his request for anticipatory bail may be considered.

In the result, the criminal Petition is allowed and the Petitioner shall be enlarged on bail in the event of his arrest on his executing a bond for Rs. 5,000/- (Rupees five thousand) with two sureties for a like-Sum each to the satisfaction of the station House officer, Chodayapalem Police Station. The Petitioner shall co-operate with the investigating officer in the investigation and shall appear before him as and when required for the purpose of investigation in this case.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The I Additional Sessions Judge, Guntur
2. The S.H.O., Tsodayapalem, Police Station, Repalle Mandal, Guntur District
3. One CC to Mr. Posani Venkateswarlu, Advocate (OPUC)
4. Two CCs to Public Prosecutor, High Court of A.P., Hyderabad. **(OUT)**
5. One spare copy.

Skm

HIGH COURT

TCSR,J

DATED : 12-08-2004

ANTICIPATORY BAIL ORDER

Crl. P. No. 3444 of 2004

DIRECTION

HIGH COURT

SKM
DRAFTED ON : 12-08-2004

TCSR,J

DATED: 12-08-2004

ANTICIPATORY BAIL

ORDER

Crl. P. No. 3444 OF 2004